KENTUCKY'S GOVERNOR BOLDLY IN-SULTS INDIANA'S EXECUTIVE.

Accuses Mr. Durbin of Paying Campaign Obligations in Protecting Messrs. Taylor and Finley.

LONG DEFENSE OF GOEBELISM

AND SEVERE ARRAIGNMENT OF THE GOVERNOR OF INDIANA.

Latter Charged with Bidding for a Senatorship in Refusing to Honor Extradition Requisition.

COURTS MAY BE APPEALED TO

MANDAMUS PROCEEDINGS MAY BE BROUGHT IN THIS STATE.

Case May Then Be Taken to the United States Supreme Court-Text of Beckham's Open Letter.

FRANKFORT, Ky., Nov. 11.-Governor Beckham to-night addressed to Governor Durbin, of Indiana, a letter replying to the criticism by that executive of the courts and officials of Kentucky in his recent letter refusing to honor the requisition for Taylor and Finley, wanted for alleged complicity in the assassination of Governor Goebel. He severely arraigns Durbin for his refusal, charging that in doing so he violated his oath of office to support the Constitution of the United States, and that he became "a party after the fact to the most infamous crime in the history of this | Says Reform Is Difficult Because of State-the cold-blooded and dastardly murder of an eminent and distinguished citizen

of Kentucky." The Kentucky executive also charges that Governor Durbin's action in refusing was the result of a political bargain made before his election to office, and characterizes his charges against the courts and officials of Kentucky as slanderous and inexcusable misrepresentations. He takes the stand that the Governor of a State has no discretionary power, but only ministerial power, in the honoring of legally drawn requisitions from other States, and this is taken here as an indication that steps will shortly be taken in the courts to compel Governor Durbin by mandamus to honor the requisitions. If such proceedings are instituted they will be in the courts of Indiana and taken on appeal to the Supreme Court.

TEXT OF THE LETTER.

Beckham Scores Durbin and Defends Cantrill.

In addressing Governor Durbin Governor

Reckham says: "Frankfort, Ky., Nov. 9. "Sir-Your refusal to honor the requisitions some time ago sent you by me, asking for the extradition of W. S. Taylor and Charles Finley, fugitives from justice from this State, charged with being accessories these two valuable adjuncts to your popromised immunity from arrest under requi- a more intelligent discrimination between sitions from Kentucky authorities in the first offenders and hardened criminals. information has been confirmed by your conduct and by the complete sense of proposition you hold. But even with this un- terferes, said Mr. Mills, with free labor. derstanding of your embarrassing position, confronted as you were on the one side by law and justice and on the other by a mis- sociation met this afternoon. This meet- about something after this fashion: When which we received \$308,000. James J. Hill, erable political bargain, I could not believe | ing was called to order by the president, that you would so far forget the dignity | William J. Bott, chaplain of the State Reand obligations of your office and the Hormatory of Massachusetts. courteous relations that exist among the chief executives of the various States as to go out of your way to offer a gratuitous insult to the people of Kentucky and t cast a reflection on the courts and public officials of the State. If these slanderous charges had come from you as one individual then they would be treated with the silent contempt they so justly deserve, but as they come from you as the Governor of a great State I shall not hesitate to hold you up to public scorn and show how unjust and unfounded are the willful and inexcusable misrepresentations in your letter. "Passing on from showing how you have disregarded the Constitution and law of your country, I will proceed to show how you have perverted the record in the recent trial of Caleb Powers and sought by such action to bring discredit on an honorable and upright judge whose life of public service has been unstained by a single dishonorable act, and whose character as a man and as a jurist stands unimpeached among the good people of this State. CANTRILL'S INSTRUCTIONS.

"You criticise the recent trial of Powers and denounce Judge Cantrill for his instructions to the jury. You say in your letter he instructed it 'that it might convict on the testimony of one alleged accomplice if that testimony was corroborated by that of another alleged accomplice; that it might convict the defendant for the act of another man to which the defendant had never agreed, etc.' To show how untrue the statement is, I produce from the record the exact instruction of the judge in that case on

'Eighth-The jury cannot convict the defendant on the testimony of an accomplice or of accomplices unless the testimony be corroborated by other evidence tending to connect the defendant with the commission of the offense, and the corroboration is not sufficient if it merely shows that the offense was committed and the circum-

stances thereof.' "Is this a manly way to attack any one? Is it right and proper to manufacture evidence to blacken, if possible, his character? You insinuate, too, that the judge has been influenced in his trials of these cases by his aspirations as a candidate for the United States Senate. If rumor speak true, you are not above suspicion in that respect yourself, and the rancorous spirit of your letter shows that you are making a bid for the support of the implacables and radicals in your own party, with a view to that end. has approved certain suggestions made by but only a slight increase in the foreign I doubt the wisdom of your policy to secure

such an honor. There is no doubt now that the assassination of William Goebel on the State Cap- | pine islands. The main object of the modiitol grounds was the result of a deliberate and carefully planned conspiracy; that he was shot from a window in the office of | ment of the immigration laws of the United the secretary of state, not over forty feet | States as applied to the Philippines. When from the Governor's office, where W. S. | these laws were put in operation by Gen. Taylor was when the shot was fired; that Otis in 1898 it was provided that bona fide showing and the export business booms ac-Taylor immediately had all the entrances | Chinese residents of the Philippines who | cordingly. If the freight runs up a little the building guarded and forbade the might leave that country might be allowed dmission of the peace officers who sought | to return on the production of the required | American wheat and furnish the flour at a to enter and search for the assassin; that | legal identification. he threw every obstacle in his power in the way of preventing the arrest and con- Governor Taft are that the privilege of reviction of anyone suspected of the crime; | turning to the islands be limited to a period that he issued his pardons to some of those of one year and a half, and that this privi- been sent across oceans this year had been circles a growing friendly regard for the under suspicion even before their arrest lege be wholly denied to all Chinese who shipped in the form of flour instead of American chief magistrate. On all hands that Thompson was captured. and indictment; that he was presumably left the islands during or before 1898 and | grain. the beneficiary in the death of William who have not since returned.

Goebel, who was contesting with him the title to the governorship of Kentucky; that he refused to recognize the writ of habeas corpus; filled the State Capitol with over a thousand armed desperadoes, and threatened the entire State with revolution and anarchy, and that to-day he is a cringing supplicant at your feet, begging that he be not given over to trial on an indictment charging him with being a conspirator in the murder of his successful rival.

WHAT THEY DEMAND. "It would be no satisfaction to anyone to punish an innocent man for this crime. The mind of any civilized man revolts at such an idea. The brothers and friends of the murdered Governor simply demand the punishment of those who conspired to kill hlm. No political advantage could be gained by anyone or any party in convicting the two self-confessed criminals now basking in the smiles of your protecting

"You ask again what was the object in appropriating \$100,000 for the conviction of the suspected murderers of William Goebel. The same object which prompted the government to pay secret-service men and other detectives to discover, if possible, whether the miserable wretch, Czolgocz, had any confederates in his dastardly crime. Only \$7,000 has been spent of the Goebel reward fund, all in the legitimate expenses of the trials, and it is safe to assert that at least that much has already been spent in the laudable purpose of trying to discover the Anarchist plot to murder our lamented President.

"The honored name of Kentucky needs no defense at my hands. Her history is one of which we are justly proud. Over a hundred years ago she became a commonwealth in the American Union, and her pioneer citizens cleared the forests, built homes, schools, churches, established civil government and quickly placed her among the first States of the Union. Her people are brave, generous, hospitable and obedient to the law. Life, liberty and property are as safe within her borders as anywhere on earth. Only one time in her history were these blessings threatened, and that was brought about by these two fugitives, whom you harbor, and some of their asso clates. It was then, too, that the great body of Kentuckians showed their splendid character, their forbearance and their profound respect for the law and the con-stituted authorities, and it was their patient courage at such a critical time that brought order out of chaos, government out of anarchy. Such a people as these could neither be helped by your praise nor narmed by your scurrilous abuse, and (CONTINUED ON PAGE 2, COL. 4.)

PRESIDENT OF THE PRISON ASSO-CIATION SCORES SPOILSMEN.

Political Brigandage-The System Pernicious.

KANSAS CITY, Nov. 11 .- Delivering his annual address before the Wardens' Association, at the annual congress here today of the National Prison Association, Otis Fuller, president of the association and superintendent of Michigan Reformatory, said: "The good citizen must stand between the state institution and the po-

litical plunderer." Mr. Fuller had spoken of the mighty strides America had made in the past decade and asked: "Is prison management keeping up with the procession?" Continuing he said in part: "I think that in most respects it is. I am sure that in Freight Was So Scarce that Grain one respect it is not. I refer now to the political brigandage which is still prevalent in a few States-the bold, bad brigandage which ruthlessly seizes not only the prisons but all the other public institutions and holds them for political ransom. Honest, efficient, wise and humane prison management cannot reach its highest stage of development until the outraged taxpayer and the humanitarian takes the ward

heeler by the throat. Mr. Fuller said that prison reform must start further back than the prisons. It must educate the lawmakers. "It must, to the murder of William Goebel, was not above all," said he, "wipe out the perniunexpected, but the remarkable letter with | clous fee system which gives the constables which you accompanied the return of the so many dollars for arresting a fellowpapers was indeed a surprise to me, and I citizen, the justice of the peace so many sincerely regret the necessity of this reply. | dollars for convicting him, and the sheriff It is true I had been reliably informed that | so many cents a day for feeding him or you had incurred campaign obligations starving him as his humanity or avarice which committed you to the protection of may dictate." The fee system, he de clared, was a blot upon the fair pages litical fortunes, and that they had been of the twentieth century. Mr. Fuller urged event of your election as Governor. This | H. F. Mills, sales agent for the New York penitentiaries, told of the success of prison labor in the penal institutions of the Emtection under which these two men seem | pire State. "The product last year," said to have rested since your incumbency of he, "was valued at half a million dollars, the office. You are at least entitled to the and the earnings were at least \$60,000." credit of having faithfully carried out your | There are no prison contractors. The goods reputed agreement with them. However, are furnished to cities, countles and townin doing so you have violated your oath ships for public institutions, but not to of office and brought discredit on the high private parties. The system in no way in-The Grand-avenue Methodist Church was filled with people when the Chaplains' As- a problem for the flour merchant. It came

FAILURE OF ATTEMPT TO SURPRISE AN AMERICAN GARRISON.

Soldiers Were Breakfasting Fully Armed and Completely Routed the the Filipinos-A Deserter.

MANILA, Nov. 11 .- Major William L. Pitcher, of the Eighth Regiment of In- of Boston with a hold full of wheat and fantry, commanding the Mindoro expedi- a few weeks later it sailed back with the tion, reports that the garrison of Abra De | same wheat to the same port. The owners Iog was atacked yesterday by a force of insurgents commanded by Lenocos. The Filipinos apparently attempted to repeat were breakfasting fully armed, completely routed the insurgents, who left five men dead on the field, each having a rifle and ammunition. One American was seriously wounded Captain Noyes, of the Thirtieth Infantry,

commanding a detachment of fifty men, has captured a deserter named Richter, of an insurgent lieutenant. Major Pitcher says he recently captured three officers and a large part of an insurgent company, all fully armed. It is believed the insurgents recently received an illicit supply of munitions of war.

The insurgents in Samar are flocking northward. They are suffering greatly from famine. Many isolated bolomen have surrendered. Only fear, caused by Lukban's For the same period last year the exports proclamation, threatening with death those who surrender, preveats a general submission of the insurgents, but it is expected this will be secured in a few days.

Chinese Immigration.

WASHINGTON, Nov. 11 .- Secretary Root Governor Taft for the better regulation of flour trade. This is mainly to be accounted the immigration of Chinese into the Philip- In fact, freight rates play an important fications suggested is the better enforce-

The principal changes recommended



DOORKEEPER-"Pardon me, brother, but I am trying to figure how I can get you in by leaving you outside."

CURIOUS EFFECT OF THE RECENT STEEL INDUSTRY STRIKE.

Was Carried to Europe in Vessels at a Nominal Rate.

INDUSTRY SUFFERED

BECAUSE FOREIGNERS GOT WHEA CHEAP ENOUGH TO GRIND.

Conditions at Minneapolis-Better to Export Flour Than the Unground Cereal.

Staff Correspondence of the Journal. MINNEAPOLIS, Minn., Nov. 11 .- A very curious thing happened to the flour exporting trade this summer. It was caused by indeed for a business man to discover on his own account the relation between a steel strike and flour shipments. A few months ago it would have been just as hard steel industry had progressed a few weeks steel products ceased. Steel is taken to Europe at a very low rate, sometimes even heavy freight for ballast. When there was no longer any offering of steel and fron for ocean shipping the vesesls were in a bad

The happy solution was to take wheat for ballast instead of iron and steel. Wheat is not so heavy and therefore not so satisfactory as ballast, but in a pinch it would of tons of wheat were carried at a nominal rate. Very often the grain was carried for cargoes that they stood ready to pay premiums for tonnage. One ship sailed out | were afraid it would be impossible to get wheat for ballast in Boston. With that pool. It is quite likely that the owners are paying something for the use of the wheat. as interest charges and insurance tariffs

cannot be picked up on the ocean The result of this scarcity of freight was an unusually large summer and fall shinment of wheat to Europe. This gave the British millers all the grain they could grind and pounded down the price of American flour in the English markets. Bethe Sixth Artillery, wearing the uniform of | fore the strike the American millers never dreamed that their export trade would affected by the idle mills, but they proved a most serious matter.

EXPORTS FOR NINE MONTHS. For the nine months of this year ending Sept. 30 the exports of wheat from the United States amount to 140,000,000 bushels. were 60,000,000 bushels. For the same nine months of this year the exports of wheat flour were 14,306,000 barrels, and for the first were 13,863,000 barrels. It is to be noticed that there has been a

for by the condition of the foreign rates. part in the flour export trade. Very frequently, for reasons good with transportation agents, flour is discriminated against. Wheat at times is a little more desirable as freight. When ocean freighting is light and cargoes are in demand flour has a good above grain the British miller can grind ower rate than it can be sent across the

It would be much better for America if the 140,000,000 bushels of wheat which have | dent Roosevelt and there is in liberal profit. It is better for us that this go to an usual force of character.

American rather than a British miller. Then there is the money paid to labor. For every thirty barrels of flour manufactured day. This does not include the men who might be used in the extra handling for shipping. Then there is the saving of the bran, middlings, mill feed and such biproducts as result from the manufacture of ONLY TWELVE ESCAPED CONVICTS lour. In brief, if all the exported wheat was first manufactured into flour, the profit account would be considerable.

There are approximately 10,000 flouring mills in this country. The combined capacity of these is sufficient to grind all the wheat grown in the United States. Plainly t is not the lack of facilities which sends the wheat away in the form of grain. The main question to consider in the improvement of the flour trade is shipping. Flour has never had any assistance in the way of tariffs and legislation. Of course it never needed any protection, but it is possible that there might be assistance in the way of breaking down the customs barriers of other countries. France and Germany, for instance, have prohibitive customs regulations against American flour. They take our wheat, but do their own grinding. This countries. This of course would quickly lead to the reciprocity question. MAIN SHIPPING POINT.

Newport News is the flour shipping point of this country. The facilities at this Virginia port are superior to those of any other salt water shipping place along the Atlantic coast. The flour barrels are rolled into the cars at mills and rolled out of the cars to their places in the ship at the Newport News dock. In New York the facilities for transferring flour from the trains to carts and docks and lighters and ocean ships are very clumsy and expensive. This will be remedied in time. The New York Central is spending vast sums on its ocean docks at Weehawken, and flour will be the steel strike. It would be very difficult given proper consideration. The Pennsylvania also will have flour facilities in its new terminal arrangements. This, however, is some years distant. The government trade bulletins indicate that China is beginning to take American The largest export year to that country was 1900 with 107,000 barrels, for the strike in the various branches of the the railroad man, says that China will learn to like flour better than rice and that within a few years the flour trade the production fell off. Exports of heavy | with China will be enormous. In this statement he is indorsed by Secretary of Agriculture Wilson, who says than in comparatively few years the major portion of for nothing, the big freighters requiring the | the products of the Mississippi valley will | several depredations on property had rego to the Pacific coast, instead of to the

Atlantic coast. The millers of this city, who have given the matter considerable practical attention. firmly believe that within a few years they will be almost independent of the Atlantic coast trade. The grain steel carriers of the North are now bending under the burdens of the moving freight for the farther Northwest, Alaska and the Orient, The chief shortage on the Pacific is ships. Freight do, and did do. Thousands and thousands lies piled up on the docks waiting for ship-

The housewife will be interested in learning of experiments and investigations in nothing, and so greedy were agents for food values which the Minneapolis millers | The officers then fired and Thompson have been making recently. There are on the market in the form of whole-wheat flour, various kinds of so-called health food. These vary in form and character by means of additions of the bran and by-products to the dead white wheat flour. The experiments of the millers, of the most practical kind, have proved that the nutritious properties of dead white wheat flour far exceed those of any combinations of whole-wheat same wheat that ship has crossed the ocean flour. The pure white flour, according to four times and is now on the road to Liver- these experiments, is superior to that of any other wheat flour. These experiments were probably impartial, as the various kinds of whole-wheat flour are placed on the market primarily by the big millers. OTTO CARMICHAEL.

EL TIEMPO IN BAD TEMPER.

Clerical Sheet Says Mean Things About the United States.

MEXICO CITY, Nov. 11 .- El Tiempo, a clerical organ, continues its attacks on the United States, comparing the American Union to a monster with a head of solid gold, breast and arms of burnished silver, stomach and muscles of bronze and feet of the most brittle clay. El Tiempo says that race hatred in the United States is not extinguished, notwithstanding the nine months of last year the flour exports | promised redemption of the blacks emancipated by Lincoln; and negroes, simply because they are born with a black skin are decided gain in the exportation of grain, cast out, beaten, tormented and lynched and are therefore in continual insurrection. prompted by the implacable desire for vengeancient Rome as depicted by the historian Tacitus. The Liberal papers take a decidedly more

kindly view toward the United States. though they regret the absorptionist tendencies apparent in the modern foreign policy of the great republic. Senator Davis, chairman of the United States delegation in the Pan-American congress, has made an excellent impression by his friendly and frank explanation of the true position of the United States regarding Latin American. It is becoming known that this is the attitude of Presi-

Frank Thompson, Leader of the Mutiny, Wounded and Captured After a Running Fight.

is true of Russia and Turkey and other MORTALLY WOUNDED BY A CITY

Refused to Surrender When Confront-

LEAVENWORTH, Kan., Nov. 11.-Frank Thompson, the negro leader of the mutiny at the Federal Prison here, which resulted in the escape last Thursday of twenty-six prisoners, was captured eight miles north of Council Grove this evening by a posse under command of Deputy United States Marshal E. A. Prescott, of Topeka. Thompson would not surrender, but was taken after a hard fight with the officers in which he was shot in the head, but not severely injured. No member of the posse was hurt. Deputy Marshal Prescott has been in Council Grove ever since Saturday morning on the watch for escaped prisoners. There are a number of them in this vicinity and sulted from their presence. This morning Deputy Prescott heard of the presence of a negro convict a few miles north of Topeka and set out to make the capture, assisted by Sheriff Michael and some other officers. The officers had just emerged from a wooded tract when they saw Thompson running across the open. wheeling around and doing some rapid dropped. He was stunned and was easily secured. Thompson will be brought back to the penitentiary to-morrow.

Lawrence Lewis was mortally wounded this morning near Quenemo, Kan., while making a dash through a cordon of armed deputies. Now there are but twelve prison-

Lewis is a white boy, twenty years of age, who was sent up in October, 1900, to undergo a five years' sentence for larceny. He was tracked to a wooded place near west from Fort Leavenworth, and a dozen men bearing rifles. An order to surrender was met with defiance and Lewis, unarmed, and although practically surrounded, darted for the nearest opening. He had gone scarcely a hundred yards when a bullet from a Winchester in the hands of one of his pursuers pierced his lung from behind and brought him to the ground. Bleeding and fatally wounded Lewis was taken to Warden McClaughry was notified. Three distinct gangs of convicts have been reported at points within fifteen miles

around Topeka since last night, and al-The United States is compared to itt, white, and Lon Southerland, a part State, while Southerland is but eighteen. these particular convicts, with the result | O. W. Underwood, chairman of the Dem-

NOW AT LARGE IN KANSAS.

was accidental.

LAWRENCE LEWIS ALSO SHOT

MARSHAL AND POSSE.

ed by Twelve Men Armed with Rifles, and Tried to Run.

deputy sheriffs and farmers have been on the go all day, night fell with only one Indian. Hewitt and Frank Thompson, the negro, were ringleaders in the outbreak. noon, and were being followed closely. The result. officers at Topeka, both county and city, Pauline, bent every energy to overhaul from politics in Alabama.

spiring much fear among the inhabitants of the country districts. To-night officers are at work in a dozen different counties and as some report that they have groups of convicts rounded up more captures will be made before morning. From Council Grove, where Thompson was captured to-night six convicts have started to Cottonwood Falls and are freely holding up and robbing people and plundering farms all along. Many have had encounters with the men, and people along the route are afraid to venture out of their houses to-night. In

The twelve convicts yet at large are in-

from under one of their pursuers.

town, as the convicts probably will pass that way. Three suspected convicts were seen boarding a freight train at Ottawa to-night and they are expected to drop off near Emporia, where there is some heavy timber suitable

Lyon county citizens and officers are armed

Near Osage City Deputy Warden Lemon, with fourteen officers, is closely in touch with three convicts whom he expects to capture before morning. The sheriff at Oswego is in pursuit of a convict who held up some men there today. The sheriff at Alma reports that he has two suspected convicts surrounded. The convicts are seemingly becoming bolder and are invading towns. In the Union Pacific yards at Wamego to-night two of the runaways held up a man and compelled him at the muzzle of a revolver to give them \$5. They boarded a freight train

ENGINE LEFT THE TRACK.

without any attempt being made to capture

Six Negroes Killed and Eighteen Wounded in a Wreck.

PRESCOTT, Ariz., Nov. 11.-In a wreck on the Iron Mountain Railroad to-day, about one mile south of Prescott, three men were killed and eighteen injured, all negroes. An engine was carrying about forty workmen to where the road is being leveled. While going backwards at a high rate of speed the engine struck a piece of new and crooked track, left the rails and threw the men in every direction, some in front of it, some under it and one man was wrapped around a guy pole on the side of the track. The dead and injured were brought to Prescott on handcars, wagons, aid from the company's physicians, and at 5 p. m. were taken to hospitals in St. Louis. The track was torn up so badly that it was to permit the pasasge of regular trains.

FELL FROM WINDOW IN FOURTH STORY OF HIS RESIDENCE.

Filled Chair of Political Economy Columbia University and Was z Well-Known Scientist.

NEW YORK, Nov. 11.-Richard Mayo-Smith, a professor of political economy at Columbia University, was killed to-night Seventy-seventh street, to the stone flagging in the rear. So far as the police have investigated the case they conclude the fall

Professor Smith a short time ago began to members of the faculty after they have pressure made the following statement, acserved seven years. He had been ill for a cording to his inquisiters: few months, but not sick enough to cause for a short time. She left him. Soon afterward the butler, in passing the study door, saw the form of a man going out of the window. He thought it was a burglar and ran down stairs to inform Mrs. Smith. Something made the wife think it might be her husband, and on running out to the rear yard she saw the body of the profes-

sor. A physician who was called said death must have been instantaneous. Prof. Mayo-Smith was forty-seven years old. Besides his wife he leaves four children. He had been professor of political College in 1875. He was an honorary fellow of the Royal Statistical Society of Great Britain and member of the National Academy of Sciences. He was a writer on economic subjects and the author of "Emigration and Immigration," "Sociology and Statistics" and "Statistics and Economics." These works were published in 1890, 1895 and 1899, respectively.

NEW CONSTITUTION ADOPTED B PROBABLY 25,000 MAJORITY.

of Their Last Chance to Vote-

Fraud Is Alleged.

MONTGOMERY, Ala., Nov. 11.-From the returns so far received it is believed the new Constitution has carried by a majority | to the building after having left letters and ranging between 25,000 and 35,000. The ne-He groes voted in much larger numbers than we expected the 'stiff' to be burned up, too was ordered to halt, but answered by had been expected, but were unable to control the result. This was the last opfiring with a fourty-four calibre revolver. portunity they will have to vote under the and under their agreement the corporal old plan if the new instrument has been was to secure the "stiff." Rathbun hints ratified, and in many counties they turned out en masse. The election passed off where the corporal is now. quietly, no trouble being reported up to

midnight. The new Constitution was framed pri- as twenty-seven. marily to improve the character of the suffrage. It provides educational or property qualifications for those who were not solfour-year terms; provides for quadrennial Quenemo by the city marshal of that instead of biennial sessions of the Legisplace, which is situated forty miles south- lature; reduces the limit of taxation to and members of the Legislature from acquiring free railroad passes, and prohibits lobbying. It also provides a penalty for

persons who sell or buy votes. Fraud Is Alleged.

BIRMINGHAM, Ala., Nov. 11.-Returns from forty counties in Alabama indicate declares that she has seen the body only the marshal's office and cared for while that the new Constitution will be ratified by 27,000 majority. Jefferson county and the city of Birmingham gave a very heavy vote for ratification. The majority in the though a horde of penitentiary guards, city is 3,253, but it is estimated that rural precincts opposed to the movement will capture, that of Lewis, reported. From bring this majority down to 2,500 in the the descriptions received, Warden Mc- county. Leaders of the opposition to the Claughry believes the two captors of new Constitution claim that frauds were Sheriff Cook, of Topeka, were Arthur Hew- committed in Birmingham and through the

Gen. Charles M. Shelley, who is in charge and the warden to-day increased the reward | fication, gave out the following statement for their capture. Hewitt and Southerland | to-night: "We have carried the white counwere both serving five-year sentences for ties by a large majority against ratification larceny. Hewitt is twenty-three years old, of the new Constitution, notwithstanding fraudulent methods in this and other cities At 5:30 this evening a message received and in towns in north Alabama. We do not at the penitentiary announced that Thomp- think it is possible for the advocates of rat-

If the new Constitution is adopted 95 per First there is the manufacturer's | he is admitted to be a statesman of un- | At Alma, Kan., a running fight last night | the State for the new Constitution by 27,000 | he is a deserter from the army and they with two escaped convicts is reported. The 'majority.

convicts had stolen two horses and made good their escape after shooting a horse

LOUISVILLE POLICE ARREST THE MAN SUPPOSED TO BE DEAD.

He Had Deserted the Army, Married in Little Rock and Again Had and are patrolling the approaches to the

Enlisted in Louisville.

ADMITS INTENT TO DEFRAUD

BUT SAYS HE HAD NO PART IN TEN EYKE'S DEATH.

Body Shipped from Jeffersonville as that of Rathbun Is Held by the

A FOOTBALL PLAYER IS SHOT

Little Rock Authorities.

EVANSVILLE ELOPERS ARRESTED IN NEW YORK FOR THEFT.

Acid Thrower Assails a Russiaville Girl-Death of Judge D. M. Alspaugh-Losses by Fire.

LOUISVILLE, Ky., Nov. 11 .- Newell C. Rathbun, who was supposed to have been found dead in a Jeffersonville, Ind., hotel necessary to build tracks around the wreck last Thursday, was arrested in Louisville to-day. According to Rathbun the corpse which was shipped to Little Rock as the body of Rathbun was the body of W. L. Ten Eyke. The police say Rathbun has confessed desertion from the United States ermy and that he had formed a plan to fraudulently collect \$4,000 insurance on his life, but that he denies having killed the

man who died in the Jeffersonville hotel. Rathbun was arrested about 11 o'clock this morning at the United States recruiting station in Louisville. He is held as a fugitive from justice. The arrest was made on information from Sergeant Skinner, of the United States recruiting station. Rathbun enlisted under the name of "Lou Root, Detroit."

Sergeant Skinner had read the story of the Jeffersonville case and circumstances connected with the new recruit aroused his suspicions. One of these was the fact that by falling from a window of his study on | the man had on a government suit of unthe fourth floor of his residence, on West derwear. He said he had bought the garments from a soldier friend. Another circumstance was his knowledge of army affairs about Little Rock. Saturday he

passed the examination and enlisted. At the detectives' office Rathbun was put the year's vacation which Columbia gives | through the sweating process and under

"My name is Newell C. Rathbun and my the family any alarm. This evening he home is Little Rock, Ark. Several months told his wife, who was in the study with ago I deserted from the army post at him, that he felt tired and would lie down | Plattsburg, N. Y., in company with another recruit named W. H. Ellis. I soon lost sight of him and went on to Little Rock. There I was married and afterward took

out the insurance policies "I came to Louisville about ten days ago and formed a plan to make the insurance company think I was dead so that I could collect the insurance. I fell in with a man, who said his name was W. L. Ten Eyke, in front of the Salvation Army headquarters economy at Columbia since 1883. He was in Louisville and told him of my plan, and born in Ohio and graduated from Amherst | he agreed to help me. Our plan was to obtain a corpse from some place, put it in a hotel in Jeffersonville and then set fire to

> the hotel. "While we were in Jeffersonville we took a number of drinks and Ten Eyke got drunk. I think his death was caused by drinking. I put the letters addressed to me in his pocket and left. I did not kill him. I then came to Louisville and then to the recruiting office and enlisted. My real

home is in Detroit.'

The police are trying to establish the identity of the dead man. One of their theories is that he was a tramp that Rathbun had fallen in with. The police have telegraphed to the Little Rock authorities to hold the corpse. A gold watch bearing the name "W. H. Ellis" was found on Rathbun. He refuses to say where he got police say the handwriting of "Lou Root," the recruit, was very similar to the signature "W. L. Ten Eyke" on the Jeffersonville hotel register, Coroner Coots, of Jeffersonville, says he

examined the stomach of the dead man and found traces of enough laudanum to kill Rathbun said to-night in an interview that at Plattsburg Barracks, N. Y., he and a corporal fixed up the plan to collect the \$4,000 insurance. He says the plan was to "slip a 'stiff' into some hotel, then set fire papers of mine in the pockets of the 'stiff's

clothes. Of course, when the hotel burned or at least so scorched that no one could recognize him." He says the corporal came to Louisville that the corporal drugged the victim if he was drugged. He says he does not know

Rathbun gave his birthplace as Detroit, his nearest relative as J. Brown, of Debray, Mich., his trade as a printer and his age

Body Held at Little Rock.

LITTLE ROCK, Ark., Nov. 11 .- The supdiers or descendants of soldiers, and con- posed body of Newell C. Rathbun was totains a good-character clause. The new day turned over to the coroner and placed instrument provides for a Lieutenant Gov- in a vault to await an autopsy. It is ernor, a Governor and state officials with claimed by the authorities that the description of Rathbun does not agree with that of the corpse. According to officers 65 per cent.; insures a fixed appropriation in charge of the case Rathbun's hair is for the public schools; prohibits judges black, straight and hard-to control, while the hair of the dead man is auburn and

Attorney Henry M. Armistead, who has been representing the interests of the family, visited the residence where the body was lying to-day, and states that Mrs. Rathbun is so hysterical and nervous that she hardly knows what she has said. He once, and that was but a glance, and since that time has been too nearly prostrated to again undergo the ordeal. Mr. Armistead declares there is not the remotest evidence of collusion on the part of any member of the family in the perpetration of any fraud. He further declares that the family has been frightened into making certain state-

ments attributed to the members. Will Be Brought to Indiana.

Special to the Indianapolis Journal.

JEFFERSONVILLE, Ind., Nov. 11 .- The of the campaign committee opposed to rati- late developments in the Newell C. Rathbun insurance swindle case caused little surprise here, as it was felt all along that something would eventually turn up in the case that would cause a sensation. Captain Applegate, chief of police of this city, this son and three other convicts had been incation to commit frauds in the black belt afternoon visited Rathbun, who was artraced to near Council Grove, this after- or negro counties sufficient to change the rested in Louisville to-day, and the latter admitted his connection with the swindle in every way outside of the fact that he filled with revenge at being foiled at cent, of the negro vote will be eliminated did not administer the laudanum to his victim. The prisoner agreed to come to this O. W. Underwood, chairman of the Dem- city without a requisition, but it is be-ocratic committee, said to-night: "I claim lieved by the United States authorities that

wish to hold him until this is ascertained